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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 GOOGLE LLC,

16 Plaintiff,

17 vs.

18 SONOS, INC.,

19 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 488)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. 488) filed in connection with Sonos, Inc.’s (“Sonos”) Opposition To Google’s Motion To Strike Expert Reports (Dkt. 487, “Sonos’s Opposition”). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Sonos’s Opposition	Portions highlighted in yellow and green boxes	Portions outlined in red boxes	Google
Exhibit 1 to the Declaration of Cole Richter in Support of Opposition (“Decl. of Richter”)	Entire document	Portions outlined in red boxes	Google
Exhibit 2 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 3 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 4 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 5 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 6 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 7 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 8 to Decl. of Richter	Entire document	Entire document	Google

Exhibit 9 to Decl. of Richter	Entire document	Entire document	Google
Exhibit 10 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google
Exhibit 11 to Decl. of Richter	Entire document	Portions outlined in red boxes	Google

4. I understand that the Court analyzes sealing requests in connection with motions to strike pursuant to the “good cause” standard for non-dispositive motions. *See, e.g., Mendell v. Am. Med. Response, Inc.*, No. 19-CV-01227-BAS-KSC, 2021 WL 398486, at *2 (S.D. Cal. Feb. 3, 2021). I further understand that courts have found it appropriate to seal documents that contain “business information that might harm a litigant’s competitive standing.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 589-99 (1978).

5. The portions of Sonos’s Opposition and Exhibits 1, 2, 3, 4, 5, 6, 7, 10, and 11 outlined in red boxes contain references to Google’s confidential business information and trade secrets, including details regarding the architecture and technical operation of Google’s products. The specifics of how these functionalities operate is confidential information that Google does not share publicly. Thus, I understand that the public disclosure of such information could lead to competitive harm to Google, as competitors could use these details regarding the architecture and functionality of Google’s products to gain a competitive advantage in the marketplace with respect to their competing products. Google has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY under the protective order (Dkt. No. 92). Although Sonos’s Administrative motion sought to seal the yellow highlighted portions of Sonos’s opposition and the entirety of Exhibits 1, 2, 3, 4, 5, 6, 7, 10, and 11, Google only seeks to seal the portions outlined in red in the unredacted versions of these documents filed in connection with this Declaration. A less restrictive alternative would not be sufficient because the information sought to be sealed is Google’s confidential business information and trade secrets but has been utilized by the Sonos in support of its Opposition.

6. Exhibits 8 and 9 contain references to Google’s confidential business information and trade secrets, including details regarding the architecture and technical operation of Google’s

1 products. The specifics of how these functionalities operate is confidential information that Google
2 does not share publicly. Thus, I understand that the public disclosure of such information could lead
3 to competitive harm to Google, as competitors could use these details regarding the architecture and
4 functionality of Google's products to gain a competitive advantage in the marketplace with respect to
5 their competing products. Google has therefore designated this information as HIGHLY
6 CONFIDENTIAL—ATTORNEYS' EYES ONLY under the protective order (Dkt. No. 92). A less
7 restrictive alternative than sealing would not be sufficient because the information sought to be sealed
8 is Google's confidential business information and trade secrets but has been utilized by the Sonos in
9 support of its Opposition.

10 I declare under penalty of perjury under the laws of the United States of America that to the
11 best of my knowledge the foregoing is true and correct. Executed on February 17, 2023, in San
12 Francisco, California.

13 DATED: February 17, 2023

14 By: /s/ Jocelyn Ma
15 Jocelyn Ma
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